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# The model of ethnic democracy: Israel as a Jewish and democratic state*

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ABSTRACT. The liberal democratic nation-state is on the decline in the West as a result of globalisation, regionalisation, universalisation of minority rights, multiculturalism and the rise of ethno-nationalism. While Western countries are decoupling the nation-state and shifting toward multicultural civic democracy, other countries are consolidating an alternative non-civic form of a democratic state that is identified with and subservient to a single ethnic nation. This model, 'ethnic democracy', is presented; its defining features, the circumstances leading to it and the conditions for its stability are elaborated upon; and it is applied to Israel. Contrary to its self-image and international reputation as a Western liberal democracy, Israel is an ethnic democracy in which the Jews appropriate the state and make it a tool for advancing their national security, demography, public space, culture and interests. At the same time, Israel is a democracy that extends various kinds of rights to 1 million Palestinian Arab citizens (16 per cent of the population) who are perceived as a threat. The criticisms against the general model and its applicability to Israel are discussed. The model has already been applied to other countries, but more applications are needed in order to develop it further.

There are, in the West, two main forms of democracy for managing conflicts in ethnically or nationally divided societies. The classical and predominant form is liberal democracy, prevalent in countries such as France and the United States.[1] The state treats all its citizens equally and makes them members of a common civic nation. The nation-state maintains and fosters a single language, culture, identity and public school system that homogenise, integrate and assimilate the population. Ethnicity is privatised. Ethnic cultures and identities are allowed but neither recognised nor encouraged by

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the state. The other form is consociational democracy, in existence in countries such as Belgium and Switzerland, which takes ethnic and national differences as a given, officially recognises the main ethnic groups, and uses a series of mechanisms to reduce ethnic conflicts. These mechanisms include power-sharing (inclusion of minorities in the national power structure), proportionality (extension of resources according to group size), veto power (avoidance of decisions that adversely affect vital interests of the minority), and politics of negotiation, compromise, consensus and indecision (instead of majority rule) (Lijphart 1977).

These two forms of democracy are pure types, taking many empirical variations (Held 1996). The classical model of the liberal democratic nation-state has undergone change since 1945 and especially since the 1970s. Nation-states and ruling majorities are increasingly forced and prepared to respect the desire for separateness of small indigenous minorities, immigrants from former colonies and foreign workers (Kymlicka 1995; Joppke 1996). The shift away from full assimilation and toward some kind of multiculturalism softens the dichotomy between liberal and consociational democracies and creates hybrid civic forms of democracy that fall in between. A new type is probably taking shape that may be called 'multicultural democracy', combining features of the two established types. This emergent civic form decouples state and nation, recognises cultural rights of minorities, but neither makes these rights official nor institutionalises the standard mechanisms of consociational democracy (van den Berghe 2002).

All these forms of democracy are 'civic' in nature. They have in common the interrelated principles of the centrality of citizenship, equality of rights and the idea of a civic nation. Citizenship is the *raison d'être* of the state (the state is geared to serve its citizens) and is central in the life of individuals (civic identity is important and salient). All citizens are equal in their individual rights and in the denial (or benefit) of collective rights. The nation consists of all citizens regardless of their ethnicity or religion, and citizenship is a necessary and sufficient condition for inclusion in the nation and for participation in state bodies and affairs.[2]

There are, however, some states that are manifestly ethnic. They consider themselves and are internationally considered as democracies but their strong ethnic bias forces them to deviate from the Western forms and principles of democracy. Some of the post-communist states of Central-Eastern Europe fall into this category (Brubaker 1996). For example, in its constitution Slovakia declares itself as the state of the Slovak ethnic nation rather than as the state of its citizens. After regaining their independence, Estonia and Latvia also defined themselves as states of a single ethnic nation and deny citizenship to large ethnic minorities. These and other states are internationally accepted as democracies despite their digression from the Western tenets of centrality of citizenship, equal rights and civic nation. To tackle this inconsistency, one can either stretch the concept of democracy or reject these states as democratic. A more appropriate strategy is to formulate a distinct but a diminished type of

democracy in order to include these new forms of democracy while keeping the existing Western civic types of democracy intact (Collier and Levitsky 1997).

It is the central thesis of this article that 'ethnic democracy' is a type of democracy that is spreading among consolidating democracies with a record of ethnic nationalism. This type will be introduced and applied to Israel. The goal is to demonstrate the utility of the model of ethnic democracy for comparative politics and comparative ethnicity.[3]

## The model of ethnic democracy

I originally introduced ethnic democracy as an analytically distinct type using Israel as an archetype (Smooha 1989 and 1990).[4] In its initial form, the model was applied to Israel (Peled 1992; Smooha 1997c), Estonia and Latvia (G. Smith 1996), and Northern Ireland (Smooha 1997b). Toward the end of the 1990s I presented an elaborate model of ethnic democracy that I applied to Israel (Smooha 2000), Estonia (Järve 2000) and Slovakia (van Duin and Polackova 2000).

In this article a new version of the model is presented. This is a 'mini-model', a compact framework for the comparative study of certain political regimes of divided societies. Drawing on previous applications, it is designed to transcend the 'Israeli specificity' of the previous rudimentary and elaborate versions of the model. Its utility is illustrated here by an application to Israel, an application that is part of a wider comparative study of Israel, Slovakia and Estonia, seen as cases of actual or emerging ethnic democracies.

### *Features*

Ethnic democracy is propelled by an ideology or a movement of ethnic nationalism that declares a certain population as an ethnic nation sharing a common descent (blood ties), a common language and a common culture. This ethnic nation claims ownership of a certain territory that it considers its exclusive homeland. It also appropriates a state in which it exercises its full right to self-determination. The ethnic nation, not the citizenry, shapes the symbols, laws and policies of the state for the benefit of the majority. This ideology makes a crucial distinction between members and non-members of the ethnic nation. Members of the ethnic nation may be divided into persons living in the homeland and persons living in the diaspora. Both are preferred to non-members who are 'others', outsiders, less desirable persons, who cannot be full members of the society and state. Citizenship is separate from nationality, neither a necessary nor a sufficient condition for membership in the ethnic nation, unlike the situation in the West where the idea of a civic nation is prevalent. Closure characterises ethnic nations, but admission of aliens to most of them can be facilitated by various measures, including marriage to a member of the ethnic nation, birth as a mixed offspring, full

command of the language, religious conversion and complete cultural assimilation. This is a long and painful process that does not guarantee success.

Non-members of the ethnic nation are not only regarded as less desirable but are also perceived as a serious threat to the survival and integrity of the ethnic nation. The real or perceived threat can be one or a combination of biological dilution, demographic swamping, cultural downgrading, security danger, subversion and political instability. In some cases the threat stems from or is reinforced by the ethnic affiliation of the non-core group to an external entity (a country, a homeland or a population) that serves as its patron. The patron is either an enemy or an unfriendly agent. All kinds of restrictions and controls are imposed to contain the minority's high threat potential.

The political system is democratic. All permanent residents who so wish are granted citizenship, including human, civil, political, cultural and social rights. In addition to individual rights, the minority is accorded some collective rights and sometimes even granted autonomy with certain limitations. Minority citizens are allowed to conduct an intense struggle for equal rights without facing repression by the state or the majority. They are also permitted to join coalitions with majority groups. Democracy is, however, diminished by the lack of equality of rights. Non-members of the ethnic nation enjoy rights that are in some way inferior to the rights of members and endure discrimination by the state. Rule of law and quality of democracy are reduced by state measures intended to avert the perceived threat attributed to non-members. Democracy is constituted and functions as 'a defensive democracy', a political system designed to deter and to outlaw highly menacing groups (Barak 2000; Cohen-Almagor 2001).

Ethnic democracy meets the minimal and procedural definition of democracy, but in quality it falls short of the major Western civic (liberal, consociational and multicultural) democracies.[5] It is a diminished type of democracy because it takes the ethnic nation, not the citizenry, as the cornerstone of the state and does not extend equality of rights to all. Ethnic democracy suffers from an inherent contradiction between ethnic ascendance and civic equality. The state privileges the majority and strives to advance its interests rather than to serve all its citizens equally. The minority cannot fully identify itself with the state, cannot be completely equal to the majority and cannot confer full legitimacy on the state.

### *Factors conducive to emergence*

There are several circumstances conducive to the emergence of ethnic democracy. The primary condition is the pre-existence of ethnic nationalism and the ethnic nation. If the idea of an ethnic nation precedes the creation of the state or the political system, it is likely that it would shape the new state, and the ethnic nation would take precedence over the state. Because this condition is met by many Central-Eastern European states in which ethnic nationalism

predates the existence or the independence of the state (A. Smith 1986), they are prone to develop an ethnic type of democracy.

A second condition is the existence of a threat (real or perceived) to the ethnic nation that requires mobilisation of the majority in order to preserve the ethnic nation. Ethnic democracy is an effective means of mobilisation that is needed for coping with internal or external threats.

A third condition is the majority's commitment to democracy, without which a non-democracy would emerge. The attachment to democracy can be ideological or pragmatic.

A fourth and final condition is a manageable size of the minority. When the minority is either small or disorganised, the majority can opt for a workable ethnic democracy without renouncing its domination. Facing a very large or too strong minority, the majority may choose ethnic non-democracy because it is too difficult to maintain ethnic democracy.

A mix of these factors prompts the rise of an ethnic democracy rather than either a form of civic democracy or a non-democracy.

*Conditions of stability*

Four conditions contribute to the stability of ethnic democracy once it is established. First is a continued, clear numerical and political majority of members of the ethnic nation. If the minority grows in numbers and strength, it can disrupt the system. There should be certain mechanisms, such as immigration laws and policies, that guarantee the asymmetry in demography and power between majority and minority.

The second condition is a majority's continued sense of threat. If the majority feels well established and no longer threatened, ethnic democracy may become redundant and change to another type of regime.

A third condition is non-interference on the part of the 'external homeland'. The chances of survival for an ethnic democracy are higher if the foreign state to which the minority belongs nationally and acts as its ethnic patron, does not protect the minority or does not act to destabilise ethnic democracy.

The fourth and final condition is non-intervention against, or even support for, ethnic democracy by the international community, consisting of foreign states, regional and international bodies and NGOs engaged in the monitoring and protection of human and minority rights. The importance of this condition is growing with the advancing universality of human and minority rights and the increasing preparedness of various bodies in world politics to intervene in the affairs of states that clearly violate the universally accepted rights.

Absence of one or more of these conditions lowers the likelihood of stability of an ethnic democracy.

*Subtypes*

Like other political systems, ethnic democracy comes in different subtypes. It is possible to distinguish three subtypes on the continuum ranging from consociational democracy to non-democracy. If a 'standard' subtype is located at the middle of this continuum, a 'hardline' subtype tilts toward non-democracy. In hardline ethnic democracy individual and collective rights are restricted, the freedom to conduct a struggle is limited, the threat is perceived as immediate and grave, and control over the minority is strict.

On the other hand, the 'improved' subtype possesses mild elements of consociationalism. In improved ethnic democracy common citizenship is highly meaningful, rights are better protected, cultural autonomy and representation in the national power structure are extended to the minority, and control is selective. All these upgraded features fall short of power-sharing, proportionality, institutional or territorial autonomy and other constituent components of consociational democracy.

Ethnic democracy may change from one subtype to another, to a different type of democracy, or to a non-democracy.

*Issues*

The model of ethnic democracy raises four controversial issues: conceptual adequacy, stability, effectiveness and legitimacy.[6]

It is argued that ethnic democracy is conceptually inadequate because it can be seen as a contradiction in terms, an impossible unity of equality and inequality. It is a confusing and dismissible overstretching of the concept of democracy because a regime that by definition denies full equality of rights cannot and should not be construed as democratic (Yiftachel *et al.* 2000). According to this criticism, ethnic democracy and *Herrenvolk* democracy are similarly non-democratic because they share hegemonic control and tyranny of the majority. They differ in tactics only: when the minority is small and manageable, the majority uses ethnic democracy, but when the minority is too large or unruly, the majority is forced to resort to outright *Herrenvolk* democracy. It is presumed that ethnic democracy is always preferable to *Herrenvolk* democracy due to its democratic façade, and it is retained only as long as the majority is able to exercise its hegemony.

Benjamin Neuberger further elaborates on this point. He holds that ethnic democracy is conceptually not democracy because it does not meet either of the requirements of the procedural minimum definition of democracy: (a) all citizens can enjoy full rights and (b) the equality of rights they enjoy does not stand in contradiction to any hierarchical principle. With regard to the compromise between the democratic regime and the ethnic state inherent in ethnic democracy, Neuberger says: 'If this is a compromise, then this is no longer "an additional type of democracy". This is a compromise between democracy and something else, something in between, a semi-democracy' (1999: 107).

In response to this criticism it should be emphasised that ethnic democracy does not violate any conceptual principle. It does not stretch the concept of democracy because it is conceptualised as a diminished type of democracy rather than as a fully fledged democracy. It does meet the minimal procedural definition of democracy, which requires extension of citizenship rights but not full and equal rights. The distinguishing feature of ethnic democracy as containing internal contradictions and tensions is not unique to it, and can be found in all types of democracy. For instance, liberal democracy confers equal individual rights but denies equal collective rights (the public domain is biased in favour of the majority). There is also high tension, rather than an inherent contradiction, between equality and freedom in liberal democracy. It is true that the contradiction in ethnic democracy between democratic rights and ethnic ascendance is more striking than the tensions and contradictions in other types of democracy, but this specific trait contributes to its interpretative power as a model rather than rendering it conceptually untenable. Apart from these conceptual considerations, the question whether ethnic democracy is a true democracy should also be tested empirically. The acid tests are the actual exercise of rights granted to the minority and the effectiveness of its struggle.

Ethnic democracy is also criticised as inherently unstable because of its fundamental self-contradictions and apparent illegitimacy (Yiftachel 1993). It should be emphasised, in response, that any democracy, including consociational democracy, in a deeply divided society is prone to instability and that ethnic democracy can be stable for a long time, can make significant concessions to the disadvantaged minority and can transform itself into another type.

Ethnic democracy is further blamed for ineffective conflict management and for freezing the internal conflicts. This is not necessarily so, however. Ethnic democracy can moderate deep ethnic cleavages. As a mode of conflict regulation, it is superior to genocide, ethnic cleansing, involuntary population transfer and systems of non-democratic domination.

Of all objections, the legitimacy embedded in the concept 'ethnic democracy' is no doubt both the open and hidden agendas of the critics. Mainstream social scientists, such as Neuberger (1999), tend to reject the model because it debunks certain regimes that they cherish as liberal democracies, though admitting some of their non-substantive 'stains' or deficiencies, as second-rate ethnic democracies. For critical scholars and social critics, such as Azmi Bishara (1996), ethnic democracy is objectionable because it misrepresents a non-democracy as a democracy, thereby legitimating the illegitimate. It is maintained that ethnic democracy wrongfully serves as a normative model for democratising states and as a tool for justifying injustices perpetrated by non-democratic states and majorities.

Although the issue of legitimacy and social uses of scientific models falls outside the ordinary role of social science, it could not and should not be dismissed because it invokes intriguing moral deliberations and intense

emotions. Like any model of democracy, ethnic democracy has to be linked to a normative theory. This task is still to be undertaken by political philosophers, jurists and intellectuals. The legitimacy of ethnic democracy obviously may draw on the moral underpinnings of both the nation-state and democracy and attempt to balance them. The stress can be put on either the ethnic nation or democracy, ranging from *ethnic* democracy to ethnic *democracy*. The difference between these two approaches can be illustrated by systematic efforts made by two Israeli jurists to justify the Israeli regime.

Yehuda Cohen (2001: 121–55) argues that the definition of the sovereign determines the nature of the state. In states where the sovereign is 'a rooted people', a national community that treats the country as its exclusive homeland and shows complete devotion to it, democracy is secondary to the ethnic nation and the minority can enjoy equal individual rights and some cultural collective rights as long as these rights do not impinge on the national character of the state. In the Israeli case, since the ultimate end is to keep Israel a Jewish state, democracy is subservient to Jewishness and must be shaped by Jewish heritage, not by universal or Western tenets of democracy. For example, according to Cohen it would be proper for Israel to disallow the possibility that an Arab will serve as a prime minister.

On the other hand, Ruth Gavison (1999a) bases the morality of ethnic democracy on the right of ethnic nations to states of their own (the general right of titular nations to self-determination) and on the obligation to restrict this right in order to maintain democracy, to avoid discrimination and to do justice to non-core minorities. In the final analysis, ethnic democracy is justified as a pragmatic compromise between contradictory supreme values. In applying these moral considerations to Israel, Gavison (1999b) justifies the idea of a Jewish and democratic state but also points to certain elements in the treatment of the Arab minority and in the role of religion in state affairs that are superfluous or clearly irreconcilable with the principles of equality and justice.

More specifically, four normative ways can tentatively be identified to deal with the problem of the normative nature of ethnic democracy; two are pragmatic and two are ideological. One of the expedient approaches is to construe ethnic democracy as 'a lesser evil', a mode of conflict management that is superior to violence, domination and other non-democratic modes.

The other pragmatic defence is to conceive of ethnic democracy as a temporary necessity, a form that later could and should change to a more acceptable type. The necessity may be a protracted security threat caused by the non-core group for being an enemy-affiliated minority, with territorial continuity with a hostile ethnic nation across the border. In this case the regime takes the form of 'defensive democracy' that can shift to a non-defensive civil democracy when the conflict diminishes or disappears. Another necessity can be an urgent need to accomplish a national goal. It can be

argued that new states, like Israel and Estonia, whose titular nations are small, have endured historical repression and whose existence is still under threat, are entitled for a given period of time to harness the state apparatus for protecting national survival, a set of policies commensurate with 'affirmative action' in favour of the ethnic majority. When the ethnic nation becomes consolidated and secure, the temporary restrictions, discriminations and exclusions against the minority will be unjustified and stopped.

The two ideological justifications provide more direct legitimacy. One is to demonstrate that ethnic democracy is compatible with universal minority rights. Ethnic democracy is apparently congruous with the five most important international documents on the protection of human and minority rights; three were adopted by the United Nations and two by the Council of Europe. The United Nations treaties are the International Convention on the Elimination of All Forms of Racial Discrimination (which took effect in 1969), the International Covenant on Civil and Political Rights (1976) and the International Covenant on Economic, Social and Cultural Rights (1976). The European Council agreements are the European Charter for Regional or Minority Languages (1991) and the Framework Convention for the Protection of National Minorities (1995). The compatibility of ethnic democracy with these legal devices of protection means that ethnic democracy grants individual civil, political and social rights as well as collective linguistic and national rights to minorities. It also means that ethnic democracy does not violate any of these rights. Furthermore, ethnic democracy is compatible with the extension of legal protection, affirmative action, cultural autonomy and power-sharing to minorities. This high compatibility of ethnic democracy with international standards can also be deduced, for instance, from the fact that almost all states in Central-Eastern Europe signed the Council of Europe agreements although some of them are or are becoming ethnic democracies. Slovakia and Estonia, for instance, were not called upon to amend the preamble to their constitutions, which declare them to be ethnic democracies.

The other moral defence of ethnic democracy can be made indirectly by stressing its partial superiority to liberal democracy. The state in individual liberal democracy that pretends to be truly neutral to group differences and to treat all individuals equally simply does not exist. The form that does exist is 'republican liberal democracy', in which the state is evidently partial, imposing the language and culture of one of the constituent groups as the national language and culture and making it hard for non-assimilating minorities to keep their separate existence and identity. In contrast, in ethnic democracy the state does not pretend to be neutral and behaves as the guardian of the dominant majority but also provides the non-dominant minority with essential collective rights and all the necessary arrangements to preserve itself as a distinct and separate entity.

## Israel as an ethnic democracy[7]

*Background*

Jews maintained a form of sovereignty in the Land of Israel until the year 70 AD, a Jewish community continued to live there despite exile, and for two millennia diaspora Jews hoped and prayed to return to their ancestral homeland. As a result of the crisis in Jewish–Gentile relations and the rise of nationalism and anti-Semitism in Europe, a Zionist movement emerged in the late nineteenth century, aiming to restore the Jewish homeland in Palestine. During the formative period 1881–1947, more than 550,000 immigrants arrived and built a new modern Jewish community. The right of Jews to the land and to statehood was recognised in a series of Western and international resolutions: the 1917 Balfour Declaration, the 1922 British Mandate to Palestine, and the 1947 United Nations resolution to partition the land into two states, one Arab and one Jewish. Throughout the British Mandate, the Palestinians rejected Jewish settlement and rights and all partition plans, and demanded the immediate formation of a Palestinian Arab state in all the area of Mandatory Palestine (Nevo 1983). By 1948 about 2 million persons lived in Palestine, of whom one-third were Jewish. The 1947–8 war ended with the devastating defeat of the Arab countries and the Palestinians, the transformation of over half of the Palestinian people into refugees, and the Israeli control of 78 per cent of the land of Mandatory Palestine (the Palestinian disaster known as al-Naqba).

Of the 900,000 Palestinians who lived in the area that became Israel, only 186,000 Palestinian Arabs still remained in the country by mid-1949. Israel extended automatic citizenship to the Arabs, but they were considered potentially disloyal and put under military rule until December 1966. About half of their land was confiscated. Israel has absorbed millions of Jewish immigrants since its proclamation in 1948 but refused to let the Arab refugees return. In the 1967 war, Israel occupied the entire land of Mandatory Palestine, bringing Palestinian citizens and non-citizens together.

By the mid-1970s Israeli Palestinians got organised independently and started an intense struggle for peace and equality. In 1976 they conducted the first of many general strikes in protest of land confiscations, inadequate funding of local services and other discriminatory practices. During the first *Intifada* (the Palestinian uprising in the West Bank and Gaza in 1987–93), the Arab citizens protested in solidarity with their brethren under occupation. They protested again during the first week of the second *Intifada* (October 2000) against what they defined as Israel's infringement of the exclusive Muslim right to Haram al-Sharif (the Al-Aqsa mosque and compound, Temple Mount) and against the subsequent killing of Palestinian protesters (twelve Arab citizens were killed in violent clashes with the police). Most of the Arab citizens of Israel boycotted the election of the prime minister (held on 6 February 2001) in protest of the maltreatment of Arab protesters by the police and government.

*Features*

Jewish ascendancy

Israel declares itself and legally is a Jewish and a democratic state. It is the homeland of the entire Jewish people, of whom 61 per cent (8.3 out of the 13.5 million) live in the diaspora. The state sees its destiny and duty to preserve the Jewish people and regards itself as the main tool to carry out this ultimate end.

Zionism is *de facto* the state ideology. Its central objective is to make Israel Jewish in demography, language, culture, institutions, identity and symbols, and to protect Jewish lives and interests all over the world. It accepts the historical development of Jews as an ethnic nation, in which ethnicity, religion and peoplehood are intertwined. A member of the Jewish people cannot be a member of a non-Judaic religion.

Israel keeps its Jewish identity through various measures. One vital mechanism is the central role of religion. It is Orthodox Judaism that is entrusted in Israel with defining who is a Jew, blocking free admission of non-Jews into the Israeli Jewish population and preserving Israel's ethno-national nature. Prevention of the formation of a new multireligious, multiethnic, Israeli civic nation is also achieved by the law on separate religious communities (marriage and divorce are regulated by religion, thereby legitimising and enforcing national and religious endogamy). Membership in the Jewish nation is thus kept separate from Israeli citizenship.[8]

Another bulwark of Jewish ascendancy is the Law of Return, which provides Jews with free admission to and settlement in the country. Jewish newcomers and their non-Jewish kinfolk, totaling 2,855,000 during the years 1948–2000, are extended automatic citizenship and ample assistance in immigrant absorption. They are considered 'returnees', not immigrants, and absorbed into Israeli society. The other side of the Law of Return is the denial of the right of repatriation to 3.5 million Palestinian refugees and their descendants. The Law of Return is complemented by the virtual non-practice of Israel's immigration law and naturalisation law.[9] Together these three pillars of the Israeli immigration regime guarantee the preservation and augmentation of the Jewish majority.

Hebrew is Israel's official and dominant language, whereas Arabic is official but non-dominant. Hebrew is the solid base of the evolving Israeli Jewish culture. It is dominant in all areas of life (home, mass media, economy, government, science and so on). It is the only official language in Hebrew education, displacing foreign languages and cultures in the Israeli-born generation. It is acquired and widely used by Jewish immigrants and Israeli Arabs.

Jews rule the land regime. Ninety-three per cent of the lands in Israel are either owned or controlled by the state or Jewish public bodies. Jewish control of land makes it possible to establish new settlements for absorbing Jewish immigrants and for enhancing national security, and provides for the unrestricted development and expansion of existing Jewish communities all

over the country. As a result of the confiscation of 40 to 60 per cent of the Arab land, the Arabs' share of the total land dropped to about 3.5 per cent and their municipal control of land to about 2.5 per cent (Yiftachel and Kedar 2000: 79). The state allotment of land to the Arabs for development of local authorities, public facilities, industrial parks and housing projects is very limited and much below Arab needs and demands. The state does not found new Arab towns and neighbourhoods. Another component of the Israeli land regime is the Jewish staffing and mastering of planning, building and zoning committees.[10]

The state symbolic system is strictly Jewish. Israel's titular name, calendar, days and sites of commemoration, heroes, flag, emblem, national anthem, names of places, ceremonies and the like are all Jewish. Protection of Jewish lives and interests in the diaspora is seen as the responsibility of the Jewish state and as a keystone of its foreign policy.

### Perceived threats

Israeli Jews perceive three major threats to their nation and state. The first threat is the physical and political survival of Israel in the region. Despite the peace treaties with Egypt and Jordan, Israel sees itself as rejected and resisted by Syria, Iraq, Iran and other Muslim states. Even if peace is achieved, the region will remain insecure, volatile and unfriendly. Located in a large, inhospitable, non-Jewish region, the Jewish state will have to keep a high military capability and national distinctiveness in order to survive as a separate state. Regional animosity is expected to continue because Israel prefers economic, political and cultural integration into the West rather than into the Middle East. Maintenance of Israel as a Jewish state stirs rejection in the Arab region on the one hand and serves as a vehicle for mobilisation of Israeli Jews on the other.

In Jewish eyes, the Palestinian citizens of Israel are the second threat. They constitute a security and demographic hazard. With regard to national security, the Arabs are an enemy-affiliated minority and an integral part of the Palestinian people and the multistate Arab nation that are not amicable to Israel. They are also concentrated in border and confrontation areas susceptible to a high external pressure to collaborate with the 'enemy'.[11] They live in territories that were earmarked for a Palestinian state by the 1947 UN partition resolution, and hence are suspected of harbouring a deep-seated secessionist sentiment. Their numerous past and present deprivations cast further doubt on their loyalty to the state.[12]

Affiliation to the Palestinian people and to a future Palestinian state is another reinforcer of the threat Jews feel. The Oslo Accords and the settlement of the Palestinian question are and will be political-territorial in nature and mostly driven by fatigue and pragmatism. Future peace between the Jews and Palestinians is and will be without reconciliation, changes of heart, admission of wrongdoing and guilt, transformation of self-image as a victim and of the image of the other as the aggressor, compassion, apology, forgiveness,

mutual acceptance, and justice (Smooha 1998: 31). It will also leave certain issues unsettled and will make them a source of continuing grievances and disputes. This peace is the only kind of peace possible at this historic juncture and is valuable as a prelude to more distant reconciliation. It means, however, that for years to come tensions and conflicts between the two peoples will continue to overshadow relations between Arabs and Jews in Israel and to sustain a Jewish sense of threat stemming from the Palestinians on both sides of the pre-1967 border. Moreover, it is widely feared that a future Palestinian state would serve as an external homeland and patron for Israeli Arabs and would enlist their support in order to destabilise the Jewish state. A related apprehension is that the disgruntled Israeli Arabs will turn to a Palestinian state for backing and for interference in Israel's domestic affairs.

Furthermore, there are several elements in the Israeli Arab demography that frighten the Jews. The Arabs make up 11 per cent of Israel's electorate, making them a direct threat to the right-wing political bloc (over half of the Jewish voters) that does not receive from them its share of support. Hence, they can decide crucial issues, most notably territorial withdrawals in exchange for peace agreements, on which Jews in Israel are divided. As the Arab natural increase rate is double that of the Jewish rate and the Arab women's participation rate in the labour force is less than half of the Jewish rate, Arabs enjoy a disproportionate part of the state allocations to family allowances, other social-security benefits, education and many services. They constitute a majority of 70 per cent in the central mountainous region of the Galilee, a northern concentration that Jews perceive as a threat to national security and to the Jewish identity and control of the region.[13] Most daunting is the strengthening of the Arab minority by Palestinians from the West Bank and Gaza Strip. According to official figures, between 1993 and 2001 as many as 97,000 Palestinian Arabs were extended Israeli citizenship on grounds of family union with Israeli Arabs. It is estimated that in this way a quarter of a million Palestinians obtained Israeli citizenship since 1967. These post-1967 Israeli Palestinian citizens numbered a quarter of all Israeli Arabs involved in terrorism during the first 20 months of the Al-Aqsa Intifada (Fishman 2002).

The third threat is the menace to the continued survival of the Jewish diaspora. Anti-Semitism, dilution of Jewish identity and culture and mixed marriages are the main dangers. Israel assumes the responsibility of forestalling these menaces, fostering ties with the diaspora and facilitating Jewish immigration. A Jewish state is regarded as a necessary condition for the Jewish national survival. It provides a safe shelter for persecuted Jews and a haven to any Jew seeking full and sovereign Jewish life. The Jewish diaspora is vital for Israel as a source of immigration, political support, economic assistance and moral solidarity.

### Diminished democracy

Israel functions as a diminished democracy for the Arab minority. The Arabs are granted both individual and collective rights. They enjoy human, social,

civil, cultural and political rights. They are recognised as a minority and accorded the collective rights that are essential for separate existence: free use of the Arabic language, a separate school system in Arabic, Arabic mass media, Arabic cultural institutions and separate religious institutions that ensure preservation of religion and endogamy. All these institutional arrangements are at least partially funded by the state. The Arabs live in separate communities (90 per cent in all-Arab villages and towns and 10 per cent in Arab neighbourhoods within Jewish towns) and are not pressured to assimilate.

Arab rights are incomplete and not properly protected, however. Although Arabs qualify as a national minority for being a segment of the Palestinian people and Arab nation and for having a strong national consciousness as a national minority, Israel recognises them as an ethnic, linguistic, religious and cultural minority but denies them the status of a national Palestinian-Arab minority. Israel does not recognise their national leadership, does not grant them cultural autonomy and discourages their ties with the Palestinian people. Their individual and collective right to own, acquire, lease or rent property, for instance, is vulnerable in view of the massive land expropriations, the state's reluctance to allocate land for Arab development, and the social and quasi-legal restrictions on land acquisitions by Arabs outside Arab areas. Discrimination against the Arabs by the state and by the Jewish public is widespread in the funding of services, entitlements and hiring (Kretzmer 1990). It must be emphasised, however, that land confiscations virtually ceased in the mid-1960s and the Supreme Court ruled in 2000 against discriminatory allocation of land by the state (the *Katzir* case).

On the other hand, the Arab right to representation, protest and struggle is highly respected by the state. The Arab participation rates in elections to the Knesset (75 per cent), local authorities (over 90 per cent) and the Histadrut trade union (55 per cent) are very high, comparable to or higher than the Jewish rates. Arabs elect Arab representatives in proper proportion. For instance, 12 out of the 120 Knesset members in 2002 were Arabs, of whom 9 were elected by Arab parties. Arab representation in the Knesset provides political leverage in the Israeli divided politics. To illustrate, the Rabin government did not have a Jewish majority, and therefore the Oslo Accords could not pass in the Knesset without Arab support. Arabs extensively use demonstrations as well as partial and general strikes in protest for peace and equality. There is a large Arab civic society, consisting of political representative bodies, self-help and welfare organisations, and cultural associations. Figuring highest among them is the big fundamentalist and rejectionist Islamic Movement, with an extensive network of institutions and resistance undertakings. All these voluntary groups are engaged in the promotion of Arab interests and in vigorous protest both in Israel and abroad. The authorities do not ban these organisations and activities and do not use repressive measures against Arab dissidents. The killing of twelve Arab citizens in protest at the beginning of the Al-Aqsa *Intifada* in October 2000 was considered

an exceptional and serious event and the government appointed a state inquiry commission to investigate it.

At the same time the Arabs are regarded as potentially disloyal to the state and placed under security and political control. Looming largest among the diverse control measures is security surveillance. The Arabs are exempted from compulsory military service and excluded from the other security forces. Defined as a high risk, the Arab minority as a whole is an official target of the secret service that collects information, follows troublemakers and issues security alerts. The state operates in a permanent state of emergency with unlimited powers to suspend civil rights in order to detect and prevent security infractions. It denies Arabs cultural autonomy lest they misuse it for organising against the state, building an independent power base, conducting illegal struggles and forming a secessionist movement. Since 1948 the state has successfully implemented a large-scale Jewish settlement of Arab areas to do away with Arab territorial contiguity. It has also made attempts to encourage internal divisions to weaken Arab national unity and to prevent a concerted mass support for the PLO and the Palestinian people. According to Israeli laws, a group of people that denies Israel as the homeland of the Jewish people may not form a political party and may not run for the Knesset. Any motion to appeal Israel's Jewish character may not be placed on the Knesset agenda. These legal provisions are not enforced, however. Arab parties frequently challenge them without fear of being outlawed. They submit Bills with the intention of making Israel a state of all its citizens and to ensure equality between Arabs and Jews. These Bills are either blocked or voted down by the Jewish majority. All these steps for containing the Arab minority are taken in defence and promotion of national security and the Jewish-Zionist nature of the state.

### *Factors conducive to emergence*

What factors are conducive to the emergence of ethnic democracy in Israel? Israel was established by the Zionist movement. Zionism emerged in Eastern Europe as a brand of ethnic nationalism, accepting the Jews as an ethnic nation. The Zionist project has always been to resolve the Jewish question and to craft a state that serves as the exclusive homeland and protector of the Jewish people. The Jewish state has been conceived as a primary tool for containing real and imagined threats to the security, welfare and national identity of the Jews in the Land of Israel and the diaspora. The continued Jewish–Arab conflict before and after the establishment of the state necessitates the mass mobilisation of the Jews, and the idea of an ethnic Jewish state has served as an effective means for Jewish mobilisation.

While it is clear that under these circumstances the state created by Jews could not be designed to be a civic state but rather an ethnic state (Peleg 2000), it remains to be explained why it became democratic. Two factors can account for democracy. One is the commitment of Zionism and the Jewish

founders of the state to democratic values. Despite its East European roots, Zionism from its inception has had a strong predisposition to the West and the idea of democracy has always been central in its grand design. Rather than becoming a non-aligned Third World country, the new state of Israel opted to join the Western bloc immediately after its proclamation in 1948. Democracy is an admission card into the West and a vehicle for receiving ample and essential support from the West. It also has been an indispensable mode of conflict management between rival Jewish groups, none of which has ever won a political majority since the early 1930s. Furthermore, democracy is a great asset for the Jewish state in appealing to and maintaining good ties with the big Jewish diaspora that became predominantly Western in location, orientation and culture after 1945. Adherence to democratic procedures rests, therefore, on strong ideological and pragmatic considerations.

Commitment to democracy was supplemented by affordability. It was feasible to establish democracy in Israel and to extend it to the Arabs because they constituted a small and manageable minority as a result of the mass exodus of the Palestinians during the 1948 war.[14] Without the massive removals of the Palestinians, the Arab minority would have probably been disenfranchised. This explanation can be substantiated by the fact that the occupation of the West Bank and Gaza Strip since 1967 has not led to full annexation, including the automatic extension of citizenship to the Palestinians, as Israel did in the aftermath of 1948. The prohibitive size of the Palestinian population has acted since 1967 as a real obstacle and is still the most essential reason for the readiness of Israel and the majority of Jewish Israelis (in 2002) to withdraw from the bulk of Palestinian territories and to allow the formation of an independent Palestinian state. The Zionist idea of a Jewish and democratic state, namely ethnic democracy, is a primary consideration in the inclusion of the small Arab minority into Israeli democracy and in the exclusion of the larger Palestinian population from Israel.

### *Conditions of stability*

Israel can remain a Jewish and democratic state for the foreseeable future if it meets several conditions. The first is the need to keep Jews as a permanent majority in Israel. Jews will remain a solid majority if diaspora Jews continue to immigrate to Israel, if non-Jews are kept out (foreign workers and other Gentiles will not be accepted as immigrants), if Israel withdraws from the West Bank and Gaza, and if it continues to deny the right of return to Arab refugees. The Jewish majority has a consensus on this matter.

The second condition is an ongoing sense of threat to the survival of the Jewish ethnic nation in Israel and abroad. Without a continued perceived threat and feeling of insecurity, Jews will not insist on maintaining Israel as a Jewish state and as a defence system against Arab attacks, anti-Semitism and assimilation.

The third condition is the continued inability of the Arab world and the Palestinian people to intercede on behalf of the Arab minority in Israel. If these ethnic patrons are capable of and willing to mobilise Israeli Arabs effectively to destabilise Israel, the Jewish state may withhold democracy from its Arab citizens in order to weather the foreign intervention. This development will not materialise as long as Israel remains strong. It is also unlikely that the PLO or Palestinian leaders will pursue this course of action because it is in their interest to have a powerful Palestinian minority in Israel that can lobby for Palestinian causes.

The fourth condition is lack of intervention by the international community on behalf of the Arab minority and for altering Israel's character. This condition is also satisfied. Israel's right to be Jewish and democratic is fully legitimated in the 1947 UN partition resolution calling for the formation of two separate nation-states in Palestine, one Jewish and one Arab. Israel's Jewishness has never been challenged by any international resolution. The more recent criticisms of Israel against maltreating its Arab citizens by UN committees (Arab Association of Human Rights 1998) and other international organisations are limited in scope and do not question the legitimacy of the Jewish state and its democracy.

There are signs of some erosion in these conditions, however. The number of non-Jews in the Israeli citizen population (6.2 million in mid-2001) is on the increase. It is estimated that they include 200,000 Palestinian permanent residents of East Jerusalem, 100,000 undocumented workers and residents from the Palestinian Authority and neighbouring Arab states, 250,000 foreign workers and 225,000 non-Jewish immigrants from the former Soviet Union. Israel may also receive scores of thousands of Palestinian refugees as part of a peace settlement. With the exception of the ex-Soviet immigrants who are assimilating citizens, these groups will not be naturalised and will increasingly impinge on the Jewish character of the state (Lustick 1999).

Another development that may undermine ethnic democracy is the rising involvement of the international community in Israel's minority affairs. In the late 1990s the Israeli government submitted reports to the three United Nations committees dealing with human, social, cultural, civil, political and minority rights, and Arab and non-Arab NGOs in Israel submitted critical shadow reports. The concluding summaries and recommendations of the United Nations monitoring committees are strongly influenced by the Israeli Arab viewpoint. They take notice of the various discriminatory policies and practices and even link them to the nature of the state but fall short of delegitimising Israel.[15] Israeli Arab organisations were at the forefront of 4,000 NGOs attributing inherent racism to Israel and to Zionism in the World Conference against Racism: Racial Discrimination, Xenophobia and Related Intolerance, Durban, September 2001, but the final resolutions of the conference did not contain any reference to these delegitimising accusations. Israeli authorities did not take any action against these Israeli Arab

organisations whose activities abroad are regarded as hostile and subversive by the Jewish public and media.

*A shift from a hardline to a standard subtype*

Existing ethnic democracy belongs to the 'standard' subtype, rather than to the 'hardline' or 'improved' subtype. During more than five decades, Israeli democracy has improved significantly and has bettered its treatment of Arab citizens.

The process of growing democratisation of Israel is reflected in many areas. Politics has shifted from a system of a single dominant party without change of governments to a system of two political blocs with recurrent change of governments, the mass media have multiplied and diversified, public scrutiny has increasingly been expanded to the security services, the Supreme Court has assumed a larger and a more active role in protecting civil rights, the hegemony of the founding group has declined and peripheral groups have increased their power and influence. Democratisation has further been boosted by globalisation since the mid-1980s. Israel's strengthening ties with the West and the rise in the standard of living have made Israelis more individualistic and materialistic, and less collectivistic and mobilised (Peled and Ophir 2001; Shafir and Peled 2002).

Overall, democratisation has inescapably liberalised Israel and Jews' treatment of the Arab minority. Jews are more willing to respect Arab rights, to attend to Arab protest and demands, and to integrate Arabs in public institutions. Affirmative action, backed by legislation, is applied for co-opting Arabs to high posts in the state's civil service and to the governing boards of the state's agencies and corporations. Military government over Arab areas was dismantled in 1966, emergency regulations are infrequently used to suspend Arab rights, and surveillance over Arabs has become more selective. As a result an intense nationalist Arab mobilisation has been on the rise since the mid-1970s. Arab national parties were established and in the 1999 Knesset elections won 70 per cent of the Arab vote. Large-scale Arab protest is reflected in frequent critical pronouncements, demonstrations, and partial and general strikes.

The shift in the character of ethnic democracy is evident also in Jewish attitudes toward Israeli Arabs. Jewish distrust of Arabs has declined to some extent. More generally, public opinion surveys, taken in 1980–95, show a trend of increase in the weight of liberals in the Jewish population. The proportion of 'conciliatory Jews' rose from 7.7 per cent to 14.2 per cent, the proportion of 'pragmatic Jews' rose from 33.5 per cent to 43.0 per cent, while the proportion of 'hardline Jews' declined from 36.7 per cent to 29.4 per cent, and the proportion of 'exclusionary Jews' was down from 22.2 per cent to 13.4 per cent (Smooha 1997a). These figures reflect increasing Jewish acceptance and tolerance of Israeli Arabs.

A significant setback in Arab–Jewish relations followed Rabin's assassination in November 1995. The peace process stopped, shattering the high hopes of Israeli Arabs who unequivocally side with their brethren on the West Bank and Gaza Strip and blame Israel for the failure. There was also a reversal of government policies from paying attention to Arab needs, reducing discrimination in funding and appointing and consulting with Arab leaders to adopting a policy of malign neglect. In 1996 Balad (a nationalist Arab party) and a faction of the Islamic Movement entered parliamentary politics, successfully radicalising the Arab political discourse. Economic recession hit Arabs hard, adding to their frustration and relative deprivation. The breakdown of the Palestinian–Israeli peace negotiations in 2000 has made both Palestinians (Israeli Arabs included) and Jews deeply disillusioned, blaming each other for intransigence.

The Israeli Arab uprising of October 2000 was a signpost in the process of deterioration in Arab–Jewish relations that began in 1996. The Arab unrest toughened Jewish orientation toward the Arab minority. There was a significant increase in Jews' distrust of Israeli Arabs, avoidance of contacts with Arabs, boycott of Arab businesses, and rejection of Arabs for being part of the Palestinian 'enemy'. The killing of a dozen Arab citizens caused further Arab alienation from the state and additional Jewish distrust. Jewish backlash estranges and frightens the Arabs. The rise in subversive and terrorist acts perpetrated by Israeli Arab citizens further distances Jews from Arabs. The Arab Knesset members' pronouncements in favour of the Al-Aqsa Intifada and Palestinian Authority despite the Israeli government's declaration of the Palestinian Authority as a terrorist-backing organisation was perceived by Jews as an incitement to violence. In May 2002 the Knesset adopted several law amendments to bar a candidate or a political party from running to the Knesset if there is a statement of support for armed struggle or a terrorist organisation or an enemy state against Israel. Incitement of violence of terrorism was also made a criminal act. Since the definition of which organisation is terrorist is determined by the government (not by the courts), the government assumes the power to decide the freedom of speech and political activity of dissidents, especially Israeli Arabs. In view of the large numbers of Palestinians marrying Israeli Arabs, becoming Israeli citizens, obtaining social security benefits and taking part in terrorism, the Israeli government resolved in May 2002 to suspend family unions with Palestinians and to seek legal ways to curb them. Some mainstream Jewish public figures endorsed the idea that the settlement of the Palestinian question should result in a drop in the Israeli Arab population by the redrawing of Israel's borders.

Notwithstanding the 1996–2002 setback, there is no return to the hardline subtype of ethnic democracy. Despite their backing of the Al-Aqsa Intifada and objection to Israel's policies, Israeli Arabs remained acquiescent. Israel did not restore military administration over them, did not ban their struggle for peace and equality and did not deny them democratic rights. Mutual disappointment rose and some Arabs and Jews toyed with extremist ideas but

these adverse developments were expected responses to the retrogression in the Israeli–Palestinian conflict. Rather than opting out, both sides continued to shore up Arab–Jewish coexistence and to look for ways to make it more tolerable and satisfactory to them.

*Rejecting alternative classifications of Israel's regime*

The characterisation of Israel as an ethnic democracy is challenged by critics who portray it as a Western liberal democracy or as an ethnic non-democracy. Israel is commonly viewed as a Western liberal democracy. The president of Israel's Supreme Court declared that 'Israel is a constitutional democracy. The State of Israel is democratic because it is governed by the principle of majority rule and because it recognises human rights' (Barak 1996: 446). According to Gabriel Sheffer, Israel has become almost a 'private liberal democracy' (1996: 35). Neuberger (1998) analyses Israel as a liberal democracy while widely conceding its non-essential 'stains', including continued occupation of the West Bank and Gaza, religious coercion and discrimination against Arab citizens. Eisenstadt (2002) singles out Israel and India as the two rare cases outside the Western hemisphere that have managed to sustain their democracies in spite of formidable challenges since their formation in the late 1940s.

These and many other analysts are fully aware of the Jewish nature of the state but they do not regard it as detracting from its democratic character. The Supreme Court is unequivocal on this point: 'The existence of the State of Israel as a Jewish state does not negate its democratic nature, any more than the Frenchness of France contradicts its democratic nature' (Israel, Supreme Court 1988: 189). This is also the position of all Zionist political parties and Zionist elites. The Kineret Declaration, a national pact reached by diverse and opposing Jewish elites in October 2001, states that 'there is no contradiction between Israel being a Jewish state and being a democratic state. The existence of a Jewish state does not contravene democratic values nor does it in any way infringe on the principle of freedom and the principle of civil equality' (Forum for National Responsibility 2001). Eighty-three per cent of the Jews in a representative public opinion survey I undertook in October 2001 agreed that 'Israel can be a democracy and at the same time a Jewish-Zionist state'.

Some scholars stress the liberal and even multicultural nature of Israel's 'republican liberal democracy'. For instance, Shlomo Avineri (1998) considers Israel more democratic than France in tending to the genuine needs of its minorities. France does not extend any collective rights, whereas Israel does. According to Avineri, all Western liberal democracies use Christian religious symbols and base their immigration laws on ethnic priorities. Alan Dowty (1999) distinguishes between less ethnic and more ethnic liberal democracies and assigns Israel to the latter. Eliezer Don-Yehiya and Bernard Susser present Israel as an exceptional case of liberal democracy because the

liberal West has shifted toward multiculturalism during the past thirty years, leaving Israel unaffected: 'The rare coupling of democratic and ethnonational commitments is the extraordinary result of the exilic Jewish experience that is preserved in Israel as a Jewish nation-state' (1999: 21–2).

This mainstream view of Israel as a Western, liberal democratic nation-state, rather than as an ethnic democracy, is a very good example of the fallacy of conceptual stretching (Collier and Levitsky 1997). The concept of liberal democracy is stretched and distorted in order to fit Israel. Yet Israel is not a liberal democracy because of the fundamental contradiction between its egalitarian universalistic-democratic character and its inegalitarian Jewish-Zionist character. More specifically, Israel is not a liberal democracy because its main concern is the Jewish people and not its citizens, because there is not an Israeli civic nation and because Zionism opposes the creation of such an entity, because there is no formal equality of rights between Arabs and Jews and between women and men, because Israeli law does not allow free mixing and intermarriage,[16] because basic laws formally make Israel Jewish and democratic and by no means liberal or multicultural, and because the ethnic traces in Western liberal democracies pale in significance in comparison to the pivotal role of religion and the ethnic nation in Israel.

On the other hand, some scholars use these criticisms against the view of Israel as a liberal democracy to advance the counter-view that Israel is an ethnic non-democracy. Meron Benvenisti (1987: 66–80) sees Greater Israel (the state of Israel and the conquered West Bank and Gaza Strip) as one integrated territorial, economic and political unit, in which Jews rule by force over Palestinian Arabs on both sides of the 1967 ceasefire line. He conceptualises the political regime prevalent there as a '*Herrenvolk* democracy' (a democracy for the master race only: van den Berghe 1967), like antebellum United States and apartheid South Africa. Oren Yiftachel, As'ad Ghanem and Nadim Rouhana (Yiftachel *et al*. 2000) argue that there is no full equality of civil and national rights between Arabs and Jews and that the Jewish character of the state denies Arabs the basic rights of equality, belonging and identity. Ghanem maintains:

> Israel, like many other countries in the world (Romania, Slovakia, Estonia, Latvia, Canada until the 1960s, Malaysia), is not a democracy if one looks at it from the perpective of the ethnic divide between Jews and Arabs. It is, instead, an ethnic state that implements sophisticated policies of exclusion against its Arab minority. (2000: 102)

Yiftachel depicts Israel as an 'ethnocracy', namely 'a non-democratic regime which attempts to extend or preserve disproportional ethnic control over a contested multi-ethnic territory' (1999: 368). Baruch Kimmerling (1999) sets four necessary conditions for democracy, finding Israel meeting one (free elections) and failing three (exclusivity of parliamentary laws, equal and inclusive citizenship and civil rights, universal suffrage where every vote is equal).[17]

This disqualification of Israeli democracy is not justified. Israel is a viable democracy that meets the minimal and procedural definition of democracy.

According to the 1999–2000 annual survey of Freedom House, Israel is classified as one of the eighty-five free countries in the world, with a rating of 1 (highest on a 1–7 scale) on political rights and a rating of 2 on civil liberties (Freedom House 2001). Sixty of these eighty-five free countries are non-Western, many of which have a short and unstable record of democracy and defective protection of minorities. In what way is Israel fundamentally inferior to these countries? Is the international reputation of Israel as democratic just a false image despite its being one of the most exposed and monitored countries in the world? If the continued hold of the West Bank and Gaza makes Israel non-democratic, was imperial Britain democratic? Occupation is a central bone of contention in Israeli politics precisely because it contradicts the Jewish and democratic nature of the state. Unlike blacks in the United States and in South Africa who fought for citizenship and inclusion, non-citizen Palestinians are fighting for independence and totally reject Israeli citizenship. Israeli Arabs enjoy individual and collective rights and use their civil and political rights to conduct an intense struggle for equality and to extract significant concessions from the state and from the Jewish majority successfully. Democracy matters a great deal to them. They see Israel as a democracy, appreciate their Israeli citizenship, and most of them oppose the idea of moving to a future Palestinian state – either by migration or by redemarcation of borders.

Scholars who classify Israel as a liberal democracy or a non-democracy ignore part of the complex reality. In contrast, the model of ethnic democracy does justice to the dual character of Israel. It presumes Israel to be a democracy, though not a first-rate Western democracy. It is a democracy in which rights are extended to all but not equally. It is a democracy in which there is an inherent contradiction between the Jewish and democratic nature of the state. The alternative classifications of Israel err in overlooking these fundamental tensions and contradictions built into the Israeli political system.

## Conclusion

The classic model of the liberal democratic nation-state in the West is on the wane. Globalisation engenders super-entities and regionalisation creates cross-national entities, and both weaken and compete with the nation-state. The awakening of native peoples and immigrant groups forces Western liberal democracies to disentangle nation and state, to reduce assimilating pressures and to recognise certain collective rights. Multiculturalism has become a driving force in the West legitimating a trend toward 'multicultural democracy', an emerging type that falls in between the two types of democracy prevalent in the West – liberal democracy and consociational democracy.

While Western countries are shifting away from the democratic nation-state, some West-affiliated states are intensively engaged in the consolidation of the nation-state and in struggling to reconcile it with democracy. Along

with 'multicultural democracy', which is closer to liberal democracy than to consociational democracy, another type, nicknamed 'ethnic democracy', is forming that falls between consociational democracy and non-democracy. This model formally combines ethnic majority rule with democratic rights for all. The ethnic majority appropriates the state and crafts it as a tool for protecting and promoting its physical security, demography, language, culture and interests. It also perceives the minority as a threat and harnesses the state control apparatus to contain it. As a result the non-core groups cannot be fully equal and cannot fully identify themselves with the state. In addition to the characterisation of ethnic democracy and to distinguishing it from mainstream types, the model also spells out the factors leading to its emergence and the conditions conducive to its stability.

This political regime is best exemplified by Israel. Despite its self-image and international reputation as a Western democratic nation-state, Israel is an ethnic democracy, based on Jewish and Zionist hegemony and on structural subordination of the Arab minority. At the same time it keeps the procedures, opportunities, flexibilities and incremental changes of a viable and stable democracy.

The application of the same ethnic democracy mini-model, which has been applied to Israel in this article, to Estonia and Slovakia demonstrates its wider generality and validity. Israel, Estonia and Slovakia are West-affiliated countries that proclaim they are the homelands of ethnic nations and give precedence to nation-building over democratic state-building, namely they allow nationalism to contain and to reduce democracy, civic equality and full membership in society. In all of them the ethno-national rationale conflicts with democracy and shapes state-crafting. For this reason it is hard to accept their claim to being liberal democracies and Western-type nation-states. This claim is accepted by the West, attesting to the fact that ethnic democracy is compatible with minimal Western standards of democracy.

Israel is the most problematic of the three cases. It is clear that Slovakia is a milder case of ethnic democracy than Israel. The Hungarian minority is smaller, Hungary is not at war with Slovakia, some minority assimilation is evident, and accession to NATO and the gradual admission into the European Union of Slovakia and Hungary is building overarching solidarities and common interests. In the short run, Estonia is a harder case than Israel because most Russian-speakers are denied citizenship and disenfranchisement functions as a harsh system of control, reminiscent of the military administration over the Arabs in Israel during the 1948–66 period. The demographic ratio in Estonia (Russian-speakers constitute 35 per cent of the population) is also more threatening to the majority than in Israel. However, in the long run the forthcoming accession of Estonia to the European Union will expedite the naturalisation of Russian-speakers and allow some of them to migrate to other EU states. Estonian integration policies will also reduce the minority problem by producing a significant rate of assimilation. Slovakia and Estonia also do not have the huge diaspora, to be attended to by the

homeland state, that Israel has. Because all these favourable conditions do not prevail in Israel, Israeli ethnic democracy is more entrenched and conflict-ridden than ethnic democracy in Slovakia and Estonia.

Like other types, ethnic democracy is subject to change. It has become more benign in Israel during its first fifty years. Although the time-span in Slovakia and Estonia is less than one decade, the trend is clearly one of softening of hardline policies and improvement of minority status. Under certain historical circumstances, ethnic democracy cannot only change from one subtype to another but can also shift to another type, as witnessed in Northern Ireland where ethnic democracy was in effect from 1921 to 1972 and consociational democracy was instituted in 1998.

Ethnic democracy in Israel looks quite robust for the foreseeable future. It can withstand the advocacy of Jewish post-Zionist intellectuals for liberal democracy and the intense struggle of the Arab minority for a consociational democracy (a bi-national state). The Jewish majority is capable, united and resolute to keep Israel democratic and Jewish.[18] The idea of a Jewish state and a Jewish democracy enjoys international legitimacy and will gain even more legitimacy when a Palestinian nation-state is established without a mass return of Palestinian Arab refugees to Israel. Although Israel will probably remain an ethnic democracy in the coming years, its stability depends on further liberalisation of its character and of its policies toward Israeli Arabs. A more liberal and egalitarian formula of a democratic and Jewish state is necessary to manage the conflict between Arabs and Jews. To be workable, this formula must be a joint Arab–Jewish undertaking. The new dispensation will likely include a crash state programme to reduce the wide socio-economic gaps between Arabs and Jews, enactment of constitutional protection of minority rights, strengthening of shared civility and civic identity, opening of the door to Arab political parties to join coalition governments and Arab cultural autonomy. A significant reduction in the level of threat emanating from the Arab minority will facilitate the formation and acceptance of the new modality by the Jewish majority.

Application to more countries is necessary in order to test and elaborate the model of ethnic democracy further. The study of the deep cleavages in Romania, Serbia, Croatia, Macedonia, Georgia, Malaysia and Sri Lanka, to name just a few cases, can apparently benefit from the application of the model and can contribute to its additional development.

## Notes

1 Liberal democracy has two variations: liberal-individual and liberal-republican. The latter subtype is the common form to which I refer here. For distinction among the various types of democracy, see Smooha 2002.

2 The civic nature of nations is a matter of degree or emphasis. Civic nations are predominantly non-ethnic rather than purely civic. They have certain ethnic biases because their national cultures inescapably reflect their past heritage and present demographic composition. Most importantly,

the single national language that most of these civic nations use favours a past or present majority and discriminates against past or present minorities. For this reason the dichotomy between civic and ethnic nation is not always clear, and there are ambiguous and hybrid cases.

3 The model of ethnic democracy has a direct and manifest implication for the main ethno-national cleavage in society but also has important implications for other spheres of life. The application of the model in this article focuses exclusively on the political regime and the division between Arab and Jewish citizens within Israel in its pre-1967 borders. The view of Israel as an ethnic democracy has repercussions for the split between religious and secular Jews, integration of Jews originating from different countries, the appeal of the radical right, the status of foreign workers, the chances of Israel becoming a Western state, and more. These wider ramifications are briefly discussed in Smooha 2000: 614–16.

4 The concept 'ethnic democracy' was first used by Juan Linz in 1975 to mean an ethnic non-democracy. Linz and Stepan (1996) revived this concept to refer to non-democratic states that deny citizenship to their minorities on ethnic grounds. In contrast, I use this concept to refer to a type of democracy that extends citizenship to all but institutionalises superior status for the ethno-national majority.

5 For the minimal definition of democracy, see Dahl 1971, and for the procedural definition, see Huntington 1991: 9.

6 Additional criticism of the model of ethnic democracy relates to its focus. Dan Rabinowitz (2001) argues that the model is fixated on the nature of the state in which the minority currently lives. Instead, the minority situation should be analysed in terms of transnationalism, namely the fact that the minority was, is or will be part of another nation or nation-state, and hence it is trapped in divided memories, loyalties and identities. This criticism stems from misunderstanding of the model that explicitly takes, in all its parts, into consideration transnational realities through concepts such as diaspora, national minority, enemy-affiliated minority, external homeland and patron, and role of the international community.

7 For documentation of the evidence on which the application of the model of ethnic democracy to Israel draws, see Smooha 2000 and 2001.

8 The millet system has been the accepted practice in the area of Palestine for centuries. It maintains separation between religious communities in accordance with the wish and consent of the majority of Jews and Arabs (Muslims, Christians and Druze) in Israel. It is neither an Israeli invention nor a Zionist ploy of forced segregation, but the millet system separates Arabs from Jews and keeps the Arab–Jewish dichotomy.

9 The only significant use made of the laws on immigration and naturalisation is family reunion. Aliens married to Israeli citizens apply and receive citizenship after a long and painful procedure. It is estimated that about 2,000 persons are admitted to Israel on these grounds annually; many of them are Palestinian Arabs.

10 This picture should be somewhat qualified. The state leases agricultural lands to Arabs and has built about twenty villages and towns for the partly involuntary, sedentary settlement of nomad Bedouin. It is also negotiating with the Bedouin of the Negev to settle their claims to 1 million dunams (a dunam is a quarter of a hectare). In 2000 the state began to appoint Arabs to state planning and building committees.

11 Although Arab citizens are generally a law-abiding and acquiescent group, some aspects of their record confirm Jewish suspicions. During the 1950s Arabs sheltered thousands of Palestinian infiltrators into Israel from across the borders. From 1968 to 1970 around 400 Arabs were convicted for terrorist acts. Arab illegal involvement in the first *Intifada* included, in 1989, 238 acts of sabotage, 507 nationalist subversive acts and 15 subversive associations, and similar infractions in 1990. During the October 2000 unrest, Arab protesters caused heavy damage to public facilities and blocked main roads. Since then, scores of Arabs have been arrested for terrorist activities, and in September 2001 the first suicide terrorist attack killing and wounding Jews within Israel proper was committed by an Israeli Arab citizen. By May 2002, 110 Israeli Arab citizens were arrested for involvement in terrorist attacks, terrorist activities and ties with terrorist organisations (*Yediot Aharonot*, May 20, 2002). In 2001, twenty-nine Arab citizens were still serving long jail sentences for security violations.

12 There is no evidence of any Arab desire to secede from Israel. On the contrary, Arabs not only refuse to consider moving to a Palestinian state if established but also object to having their villages and towns annexed to a Palestinian state. They see Israel as a lesser evil in terms of employment, social security, modern way of life and democracy.
13 According to the political geographer Arnon Soffer (2001), Israel faces a grave demographic danger. His unit of analysis is the area between the Jordan River and the Mediterranean Sea, in which 9.7 million people lived in 2000, of whom 4.9 million were Jews (50.5 per cent of the total population). The Jewish proportion is projected to drop to 42 per cent in 2020 when the population will reach 15.2 million. These statistics include Jews' non-Jewish relatives, foreign workers and the Palestinians on the West Bank and Gaza Strip, but excludes the population explosion if the Palestinian refugees were to be allowed to return to Israel proper and Palestine. Soffer spells out the great dangers of this demography, including a rapid increase of the undesirable elements (lower classes, ultra-Orthodox, Arab citizens, anti-Zionists), breakdown of democracy, infiltration of poor Arabs into Israel from the neighbouring countries, rise of Islamic fundamentalism, intensification of terrorism, shortage of water and other resources, and unbearable pollution and congestion. These adverse developments will lead to the deterioration of Israel to the status of a Third World country, to the emigration from Israel of the better-off and to existential threat. Soffer presumes that it is not possible to end the Israeli–Palestinian conflict and to establish a peaceful Palestinian state alongside Israel. This doomsday vision of the present and future is alarming for most Israeli Jews.
14 Without the population transfer during the 1948 war, Israel would have had 4 million Palestinians, instead of 1 million, in 2002. It is hard to imagine a Jewish and democratic state with such a prohibitively sized minority.
15 To illustrate, in its concluding observations in the session on 4 December 1998, the United Nations Committee on Economic, Social and Cultural Rights 'expresses concern that an excessive emphasis upon the State as a Jewish State encourages discrimination and accords a second class status to its non-Jewish citizens'. It also recommended rescinding the official status of the Zionist organisations in Israel and granting the Palestinian Arab refugees the right of return (Arab Association for Human Rights 1998: 124).
16 Liberal democracies are based on the idea of equality of all citizens and of their free circulation. The monopolistic jurisdiction of religion on personal status in Israel that results in gendered inequality and non-provision of intermarriage is a gross violation of the liberal tenet.
17 Among the non-Zionist critics are some who maintain that 'the aim of the model of ethnic democracy is to provide theoretical legitimacy to one of the most central arguments of the establishment that there is no contradiction between Jewish state and democracy' (Sádi 2001: 340). This criticism is unfounded because the essence of the model is the built-in contradiction between Jewish state and democracy.
18 There are appreciable differences among Jewish population groups in Israel with regard to the Arab minority. 'Leftists' (predominantly European, better-off, secular) tend to respect the rights of the Arab minority and to accept greater compromises in exchange for peace with the Palestinians than 'right-wingers' (predominantly non-European, worse-off, religious). The differences are, however, small or even insignificant in terms of the fundamental issues relating to the nature of the state. The idea of a democratic and Jewish state is hegemonic.

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